

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 15, 1999

DIVISION TWO

B118347 People (Not for Publication)
v.
Castaneda

The judgment is affirmed.

Mallano, J. (Assigned)

We concur: Nott, Acting P.J.
 Zebrowski, J.

DIVISION THREE

B108013 Alexandra D. Datig (Certified for Publication)
v.
Dove Books, Inc. etc., et al.

The judgment is reversed and remanded with directions to the trial court to consider and, if appropriate, award sanctions against defendants and/or their counsel and in favor of plaintiff; the trial court is also directed to conduct further appropriate proceedings not inconsistent with the views expressed herein. Plaintiff is awarded her costs on appeal.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B122510 John A. Kaldawi (Not for Publication)
v.
Registrar of Contractors et al.

The judgment is affirmed. Costs on appeal to the Board.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B117896 Catrella R. Magee-Baker (Not for Publication)
v.
Los Angeles Housing Department et al.

The order of dismissal is reversed and the cause is remanded for further proceedings. Costs on appeal to plaintiff.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

B124821 People (Not for Publication)
v.
Zeron Jones

The judgment is modified by imposing a \$300 restitution fine pursuant to Penal Code section 1202.45, and by imposing penalty assessments of \$50 (Pen. Code, sec 1202.4, subd. (a)(2), 1464, subd. (a)), and \$35 (Gov. Code, sec. 76000, subd. (a)); as modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting the above modifications and that the trial court imposed a \$300 restitution fine pursuant to Penal Code section 1202.4, subdivision (b), and a laboratory fee pursuant to Health and Safety Code section 11372.5, subdivision (a).

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B113590 People (Not for Publication)
v.
Egbert Webb Moore

The judgment is affirmed, except that the true findings as to the allegations that appellant suffered the four Ohio robbery convictions (case Nos. CR177272, CR177297, CR177747, and CR178191) pursuant to the Three Strikes Law are reversed; the Penal Code section 667.5, subdivision (b), enhancements which were imposed and stayed are stricken; his sentence is vacated; and the matter is remanded for a new trial as to the Ohio robbery conviction allegations, and to permit the trial court to consider exercising its discretion to strike, pursuant to Penal Code section 1385, any prior felony convictions suffered by appellant pursuant to the Three Strikes Law. The trial court is directed to prepare an amended abstract of judgment consistent with this opinion and to forward a certified copy thereof to the Department of Corrections.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., Kuhl, J. (Assigned), and V. Guzman, Deputy Clerk.

B123420	People v. Huizar
B129011	In Re Huizar on Habeas Corpus

Merits:
Argued by William M. Duncan for appellant and by Donald J. Oeser, deputy attorney general, for respondent. Cause submitted.

DIVISION FOUR (Continued)

B122943 People
 v.
 Osman Rene M.

Merits:

Argued by Jeralyn Keller for appellant and by Donald J. Oeser, deputy attorney general, for respondent. Cause submitted.

B118055 Ernsdorf
 v.
 County of Los Angeles et al.

Merits:

Argued by Mark J. Leonardo for appellant and by William D. Anthony for respondents. Cause submitted.

B120350 Iwekaogwu
 v.
 City of Los Angeles

Merits:

Argued by Catharine H. Vale, deputy city attorney, for appellant and by Leo James Terrell for respondent. Cause submitted.

Court in recess.

The Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., Kuhl, J. (Assigned), and V. Guzman, Deputy Clerk.

B124411 People
 v.
 Meza and Avila

Merits:

Argued by Anita Zuckerman for appellant Avila and by Corey J. Robins, deputy attorney general, for respondent. Counsel for appellant Meza waived oral argument. Cause submitted.

DIVISION FOUR (Continued)

B122961 Catanzariti and Testa
 v.
 Scutaro

Merits:
Argued by Patrick H. Aspell for appellants and by Carlos A. Lloreda, Jr. for respondent. Cause submitted.

B126852 Albrect
 v.
 Weissgerber

Merits:
Argued by Robert J. Albrect in propria persona and by Sharisse E. Molyneux for respondent. Cause submitted.

B123752 Hoffman
 v.
 County of Los Angeles et al.

Merits:
Argued by Thomas S. Arthur for appellant and by Frederick W. Pfaeffle for respondents. Cause submitted.

B122564 Bookatz et al.
 v.
 Yashar et al.

Merits:
Argued by L. Walker Van Antwerp, III for appellants and by Kenneth S. Gaines for respondents. Cause submitted.

B123642 Sha et al.
 v.
 Ng et al.

Merits:
Argued by Mark Geffon for appellants and by Roger C. Hsu for respondents. Cause submitted.

DIVISION FOUR (Continued)

Each of the following:

B123584 People v. Borquez
B123050 People v. Joseph
B121254 People v. Cannon
B123141 People v. Boyd
B131710 In Re Boyd on Habeas Corpus
B128208 D.C.F.S. v. Johnny V.
B131461 Sara R. v. D.C.F.S.
B119817 O'Connor v. Adler
B124532 Gleason v. Board of Equalization

Argument waived, cause submitted.

Court Adjourned.

B124806 People (Not for Publication)
v.
Parker

The judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment to reflect the judgment as pronounced.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

Each of the following:

B126402 Child Protective Services v. David W.
B128676 David W. v. Santa Barbara Co.
B131418 Danny R. v. Santa Barbara Co. Superior Court

Argument waived, cause submitted.

DIVISION SIX (Continued)

B125924 Ueltschi
 v.
 Villasana

Appearances:
Manuel Dominguez for respondent and appellant having waived argument.
Argument waived, cause submitted.

B125876 Landress & Associates, Inc.
 v.
 Hicklin

Merits:
Argued by Lawrence C. Powell for appellant and by Alan A. Blakeboro for
respondent. Cause submitted.

B127860 Morris
 v.
 Rigney

Merits:
Argued by J. Christopher Toews for appellant and by Kevin Morris for
respondent Morris. Argument previously waived by respondent Pereira.
Cause submitted.

Court recessed at 9:55 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Matz, J. (Assigned), and G. Bents,
Deputy Clerk.

Each of the following:

B122321 People v. Harper
B123792 People v. Wagner
B124614 People v. Blanco
B125485 People v. O'Rourke

DIVISION SIX (Continued)

Each of the following (cont.):

B125849 People v. Richard C.

B126039 People v. Pace

B126170 People v. Fields

B127093 People v. Lopez

B127517 People v. Mendez

Argument waived, cause submitted.

B124693 People
 v.
 McMillan

Merits:

Argued by Walter L. Gordon for appellant and by Martin L. Pitha, deputy attorney general, for respondent. Cause submitted.

B127707 People
 v.
 Scott

Merits:

Argued by Otis L. Hubbard, deputy district attorney, for appellant and by Ludlow Barrington Creary, II for respondent. Cause submitted.

B123402 People
 v.
 Ayala

Merits:

Argued by Wayne C. Tobin for appellant and argument waived by respondent. Cause submitted.

DIVISION SIX (Continued)

B122540 People
 v.
 Singson

Merits:
Argued by Leonard J. Klaif for appellant and by William V. Ballough,
deputy attorney general, for respondent. Cause submitted.

B122540 People
 v.
 Moreno

Merits:
Argued by Laini M. Melnick for appellant and by Stephanie Miyoshi,
deputy attorney general, for respondent. Cause submitted.

B120490 People
 v.
 Hoffman

Merits:
Argued by Jean F. Matulis for appellant and by Kyle S. Brodie, deputy
attorney general, for respondent. Cause submitted.

B126065 People
 v.
 Duarte

Merits:
Argued by Susan B. Lascher for appellant and by Wendy Chase Arenson,
deputy attorney general, for respondent. Cause submitted.

Court adjourned at 2:55 P.M.

DIVISION SIX (Continued)

B127801 Terry (Certified for Publication)
v.
S.C., San Luis Obispo County
The People

We conclude that the imposition of drug search terms on Terry is unlawful. Let a writ of mandate issue commanding the respondent San Luis Obispo County Superior Court to delete from its order of deferred entry of judgment, dated October 14, 1998, the requirement that Terry submit to warrantless searches. The order to show cause, having served its purpose, is vacated.

Gilbert, Acting P.J.

We concur: Yegan, J.
Coffee, J.